

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Criminal Application No. 1838/2007
(Vilas Jagannath Aswar .vs. State of Maharashtra)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders or directions Court's or Judge's orders.
 and Registrar's orders

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Mr. R.L. Khapre, Advocate for the Applicant.
 Mr. A.S. Sonare, APP for the Non-
 applicant/State.

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CORAM : K.J. ROHEE, J.
DATED : JULY 25, 2007

Heard.

The applicant was arrested in connection with Crime No. 35/2007 of P.S. Wadgaon Road, Yavatmal, under Sections 384, 504, 506 read with 34 of IPC. The allegations against the applicant are that a threatening call in respect of kidnapping the son of the complainant was given from a mobile phone which was found to be that of the applicant. The investigation revealed that before such call was given from the

said mobile phone, the applicant had informed the Police about loss of his mobile phone and entry in that respect was made in the station diary. After the mobile phone was found an entry to that effect was also taken in the station diary. Further investigation revealed that the co-accused was the person who threatened the complainant and his wife. He was also identified by them to be the same person giving them threat. Thus it appears that the co-accused is the main culprit. It may be noted that the co-accused has already been released on bail whereas the applicant who is a Police Constable is still in custody. In view of the above circumstances, I think it expedient to release the applicant on bail. Hence I pass the following order:-

The application is allowed. Applicant Vilas Jagannath Aswar be released on his executing personal recognizance for Rs.5000/- with one surety in the like amount.

JUDGE.

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